UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/46/367
15 August 1991
ENGLISH
ORIGINAL: SPANISH

Forty-sixth session
Item 99 of the provisional agenda*

HUMAN RIGHTS QUESTIONS

Letter dated 5 August 1991 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General

The Permanent Representative of Peru to the United Nations has the honour to transmit herewith the text of Act No. 25237, promulgated on 6 June 1990, establishing a Peace Council (see annex I), and the text of Legislative Decree No. 652, promulgated on 31 July 1991, "National Peace Process: Peace Council Act" (see annex II), establishing provisions governing the Council's activities.

These legal instruments reflect in a very tangible way the unshakeable commitment of the people and Government of Peru to act together in tackling the urgent task of bringing peace to the nation in order to overcome the situation of violence which the country is facing and thereby secure full respect for human rights.

I have the honour to request that both texts be circulated as official documents of the General Assembly under item 99 of the provisional agenda.

(Signed) Ricardo V. LUNA
Ambassador
Permanent Representative of Peru
to the United Nations

---

* A/46/150.

ANNEX I

ESTABLISHMENT OF A PEACE COUNCIL

ACT NO. 25237

The President of the Republic

Whereas:

The Congress of the Republic of Peru has enacted the following law:

Article 1. A Peace Council is hereby established, with headquarters in the capital of the Republic. The purpose of the Council shall be to submit a National Peace Plan to the Executive and provide advice and support for all efforts to achieve peace in the country and full respect for human rights.

Article 2. The Council shall be composed of representatives of the following legally recognized institutions:

(a) A representative of each political party.

(b) A representative of each labour confederation.

(c) A representative of each national professional organization.

(d) A representative of the universities in Lima.

(e) A representative of the other universities in the country.

(f) A representative of each national organization representing the production, commerce and service sectors, and

(g) A representative of each national farmers' organization.

Article 3. The Catholic Church may on a voluntary basis participate in the Council, in which case it shall convene the meeting of members who are to form the Council. The Council shall be formed within 90 days from the date on which this Act is promulgated, by such members as may have been designated by that date. The Council itself shall determine its own rules of procedure.

Article 4. The Peace Council shall without fail submit to the Executive a National Peace Plan within a period of 90 days from the date on which it is formed.

Article 5. The public authorities, the armed forces and the national police, as well as other national representative institutions, shall cooperate fully with the Peace Council and the office of the Chairman of the Council of Ministers, and shall render such administrative and logistical support as it may require.

Article 6. The Council established in pursuance of article 1 shall form Peace Councils in each of the established regions. These Councils shall have the same functions within their respective regions.

Article 7. All legislative and administrative provisions which are incompatible with this Act are hereby suspended.

Article 8. This Act shall enter into force on the day following its publication.

This Act shall be transmitted to the President of the Republic for promulgation.

Done in Congress, Lima, on 29 May 1990.

(Signed): Humberto Carranza Piedra, President of the Senate

Luis Alvarado Contreras, President of the Chamber of Deputies

Ruperto Figueroa Mendoza, Senator, First Secretary

José Sánchez Farfán, Deputy, First Secretary

To the President of the Republic.

Wherefore

I hereby order that the foregoing be published and enforced.

Done at Government House, Lima, on 8 June 1990.

(Signed): Alan García Pérez, Constitutional President of the Republic

Julio Velásquez Giaccarini, Minister of Defence, Acting Chairman of the Council of Ministers

Published in the official gazette (El Peruano) on 9 June 1990.

ANNEX II

PEACE COUNCIL ACT

Legislative Decree No. 652

The President of the Republic,

Whereas:

In accordance with the provisions of Article 188 of the Political Constitution of Peru, the Congress of the Republic has, by Act No. 25327, promulgated on 14 June 1991, delegated to the Executive the power to take measures by legislative decree within a period of 150 days relating to the national peace process;

By Act No. 25237, promulgated on 6 June 1990, a Peace Council was established, composed of representatives of the various movements in the country, for the purpose of submitting a National Peace Plan to the Executive and providing advice and support for all efforts to achieve peace in the country and full respect for human rights;

The current situation of violence which the country is facing makes it urgent to marshal the forces for peace; wherefore, having regard to the proposals to expand the participation of citizens in the Peace Council;

With the affirmative vote of the Council of Ministers;

and

Subject to the requirement of reporting to Congress;

Has issued the following Legislative Decree:

NATIONAL PEACE PROCESS

PEACE COUNCIL ACT

SOLE ARTICLE

The Peace Council Act shall consist of the provision set out below:

Article 1. A Peace Council shall be established, with headquarters in the capital of the Republic. Regional Peace Councils shall be established in each of the country's regions.

Independently of the Government's powers to plan and undertake actions aimed at peace, the Peace Council shall, as part of society, have the authority to draw up and submit a National Peace Plan to the Executive and assist in its implementation; support national and regional efforts to

increase awareness of civil rights among the citizens; provide ongoing support to the Department of Public Prosecution in defending human rights; and engage in activities of any kind aimed at achieving peace in the country.

The Regional Peace Councils shall, within their respective regions, have the same powers as the Peace Council itself. The Regional Peace Councils shall conduct their activities in close coordination and cooperation with the Peace Council.

Article 2. The Council shall comprise a General Assembly, an Executive Committee and a General Secretariat.

Article 3. The General Assembly shall be composed, on a voluntary basis, of representatives of the following legally recognized, nationwide institutions:

- A representative of each political group that is registered with the National Elections Board or is represented in Parliament. Each electoral coalition shall designate only one representative for all its constituent political groups;

- A representative of each duly registered labour confederation;

- A representative of each national professional association or similar organization;

- A representative of the Lima Bar Association;

- Two representatives of the National Assembly of University Rectors, one representing the universities situated in Lima and one the country's other universities;

- Two representatives of the National Confederation of Private Business Undertakings (CONFIEP), one representing businesses in Lima and the other, businesses elsewhere in the country;

- A representative of the Newspapers Association of Peru;

- A representative of the Radio and Television Association;

- A representative of the National Confederation of Merchants (CONACO);

- A representative of the National Federation of Small Manufacturers (FENAPI);

- A representative of the Peruvian Association of Small and Medium-sized Manufacturers (APEMIPE);

- A representative of the National Council of Exporters of Small Enterprises (CONPEX);

- A representative of the Association of Small Mining Operators;

- A representative of each duly registered national farmers' organization;

- A representative of the Peruvian National Confederation of Cooperatives (CONFENACOOP);

- A representative of the Peruvian Federation of Students (FEP);

- A representative of the National Union of Catholic Students (UNEC);

- A representative of the Peruvian Association of University Evangelical Groups;

- A representative of the Association of Peruvian Senior Military Officers (ADOGEN);

- A representative of the Peruvian Federation of Retired Police Officers (FEDERPOL);

- A representative of the National Coordinator for Human Rights;

- A representative of the National Association of Heads of Household;

- A representative of the Coordinating Commission of Survival Organizations;

- A representative of the National Evangelical Council of Peru;

- A representative of the Peruvian Jewish Union;

- A representative of the Association of Pastors of Independent Evangelical Baptist Churches;

- A representative of the Peruvian Association of Missionary Pentecostal Churches;

- In addition, the Catholic Church may, on a voluntary basis, participate in the Council.

Subject to the requirement of reporting to the General Assembly, the Executive Committee may co-opt new members of the Peace Council who meet the requirements set forth in this article.

The term of office of representatives of entities comprising the Peace Council shall be determined by their respective institutions.

Article 4. The Executive Committee shall be composed of the Chairman of the Peace Council and six representatives to the General Assembly, to be elected by the membership at large.

The Executive Committee shall be elected for a term of three years.

The Executive Committee shall appoint the Secretary-General.

Article 5. The inaugural meeting of the Peace Council shall be convened by the Catholic Church should it decide, on a voluntary basis, to participate in the Council; failing that, the meeting shall be convened by the Chairman of the Council of Ministers, who shall preside over the inaugural meeting until a President is elected.

Article 6. The President of the Peace Council shall be elected by the General Assembly.

The President of the Peace Council shall preside over both the General Assembly and the Executive Committee.

Article 7. The Peace Council shall submit a National Peace Plan to the Executive Committee within 150 days of its formation.

Article 8. The public authorities and national representative institutions shall render every assistance to the Peace Council.

Article 9. In the performance of its functions, the Peace Council may seek the advice of the High Commissioner for Peace, who may attend meetings of the Council's various constituent bodies.

Article 10. The Regional Peace Councils shall be convened and presided over in accordance with the same procedures laid down in articles 5 and 6 of this Act. The regional councils must forward their regional peace plans to the Peace Council within 120 days of the date of their formation.

Article 11. This Legislative Decree shall enter into force 30 days after its publication in the official gazette (El Peruano).

Wherefore:

I hereby order the publication and enforcement of this instrument.

Done at Government House, Lima, on 30 July 1991.

Alberto Fujimori Fujimori, Constitutional President of the Republic.

Carlos Torres y Torres Lara, President of the Council of Ministers and Minister for Foreign Affairs.

Published on 31 July 1991.

UNITED
NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/46/368
S/22953
16 August 1991
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-sixth session
Item 31 of the provisional agenda*
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE
INITIATIVES

SECURITY COUNCIL
Forty-sixth year

Letter dated 15 August 1991 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the text of a press release issued yesterday by the Government of Guatemala in connection with Belize (see annex), expressly recognizing its right to self-determination. This statement is designed to facilitate negotiations between Guatemala and Belize with a view to finding a definitive solution that is just and honourable for both parties.

I should be grateful if you would have the above-mentioned communication distributed as an official document of the General Assembly, under item 31 of the provisional agenda, and of the Security Council.

(Signed) Francisco VILLAGRAN DE LEON
Ambassador
Permanent Representative

* A/46/150.

ANNEX

Press release issued by the Guatemalan Government
on 14 August 1991

The Government of Guatemala, in the light of recent speculation about the case of Belize and taking into account that Belize has been recognized internationally as a member of numerous international organizations, states that it is the desire of the people of Guatemala to live in peace and harmony with their neighbours and to establish ties of friendship and cooperation with the nations of the Carribean Community.

It therefore declares that, in keeping with the spirit of the Constitution of the Republic of Guatemala and international law, it recognizes the right of the people of Belize to self-determination. The Government of Guatemala also states that, in accordance with provisional article 19 of the Constitution, it will continue negotiating and will pursue all civilized, legal means leading to a definitive solution of the territorial dispute.